

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/567,872
Applicant: Ilia Fishbein, et al.
Filed: May 19, 2006
Title: USE OF RECEPTOR SEQUENCES FOR IMMOBILIZING GENE
VECTORS ON SURFACES
T.C./A.U.: 1632
Examiner: Wu Chen Winston Shen
Confirmation No.: 1203
Docket No.: RCHP-135US

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This is in response to the Restriction Requirement stated in the Office Letter dated February 12, 2008.

The Examiner requires that Applicants elect either a species or invention for continued prosecution (see paragraph 4, page 5 of Office Action). Applicants elect to prosecute the invention and species of Group I, claims 1, 3, 7, 8-10, drawn to a composition comprising a surface and a modified protein, wherein the modified protein is covalently bound to the surface. This election is made on the understanding that the claims of Groups II-VI are linked to group I by claim 1 and will be considered assuming claim 1 is found allowable.

Applicants respectfully traverse the restriction of invention as being in error. Claims 1, 3, 7, 8-10 and 17-32 do not merely share "a surface covalently bound to a modified protein," as the Office Action states on page 5. Rather, the common feature in all groups is the entire composition of claim 1. Therefore, claims 1, 3, 7, 8-10, and 17-32 are so linked as to form a single general inventive concept

under PCT Rules 13.1 and 13.2. Claims 1, 3, 7, and 8-10 are drawn to a composition comprising a modified protein covalently bound to a surface; claims 17-31 are drawn to a special process for preparing the composition of claim 1, including special methods of modifying the protein, treating the surface, and reacting the modified protein with the treated surface; and claim 32 is drawn to a special process of using the composition of claim 1 to deliver a viral vector to an animal tissue. Therefore, Applicants respectfully submit that claims 1, 3, 7, 8-10, and 17-32 have unity of invention and should be prosecuted concurrently.

Respectfully submitted,



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JM/lrb

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The Commissioner for Patents is hereby
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